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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION**

MELVIN PARKER, III,

Plaintiff,

v.

JEFF LYNCH, et al.,

Defendants.

Case No.: 2:23-cv-00754-WBS-CSK

**STIPULATION AND ~~PROPOSED~~
MODIFIED ORDER TO EXTEND TIME
FOR DEPOSITIONS**

WHEREAS, Plaintiff, a state prisoner, commenced this matter on April 11, 2023, proceeding *pro se* and seeking relief under 42 U.S.C. § 1983; and

WHEREAS, by an Order dated November 27, 2023 (ECF No. 22) the Court ordered all fact discovery to be completed by April 5, 2024; and

WHEREAS, prior to the close of fact discovery, Plaintiff, proceeding *pro se*, did not conduct any depositions; and

WHEREAS, after the close of fact discovery, by an Order dated October 28, 2024 (ECF No. 37) the Court appointed Benjamin Rudolph Delson as counsel for Plaintiff in the above matter; and

WHEREAS, by an Order dated November 4, 2024 (ECF No. 38) the Court issued a Further Scheduling Order, including setting this matter for trial on October 28, 2025; and

WHEREAS, the parties to this matter have met and conferred, and have agreed that, in the interest of justice and to promote the orderly and efficient resolution of this case, Plaintiff,

1 through appointed counsel, may depose Defendant E. Corter, Defendant A. Watts and non-party
2 Sergeant K. Boyd of the California Department of Corrections and Rehabilitation, with those
3 three depositions to take a combined total of no more than seven hours on the record; and

4 WHEREAS, the parties seek no extensions of time with respect to any deadlines set by
5 the Further Scheduling Order of November 4, 2024;

6 IT IS HEREBY STIPULATED AND AGREED THAT:

7 (1) The April 5, 2024 deadline for fact discovery notwithstanding, Plaintiff may conduct
8 the depositions of Defendant E. Corter, Defendant A. Watts and non-party Sergeant K. Boyd of
9 the California Department of Corrections and Rehabilitation; and

10 (2) Such depositions shall be completed by May 31, 2025, and shall be completed in a
11 combined total of no more than seven hours on the record; and

12 (3) The deadlines set by the Further Scheduling Order of November 4, 2024 shall not be
13 affected by this stipulation.

14 IT IS SO STIPULATED AND AGREED:

15 Dated: January 10, 2025 /s/ Benjamin Rudolph Delson
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21 Dated January 10, 2025 /s/ David E. Kuchinsky
22 Rob Bonta (State Bar No. 202668)
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ORDER

Based on the parties' stipulation, the Court finds good cause to modify the Further Scheduling Order of November 4, 2024.

(1) The April 5, 2024 deadline for fact discovery is continued for the limited purpose of permitting Plaintiff to take the depositions of Defendant E. Corter, Defendant A. Watts and non-party Sergeant K. Boyd of the California Department of Corrections and Rehabilitation; and

(2) Such depositions shall be completed by May 31, 2025, and shall be completed in a combined total of no more than seven hours on the record; and

(3) All other deadlines set by the Further Scheduling Order of November 4, 2024 shall not be affected by this stipulation.

IT IS SO ORDERED.

Dated: January 23, 2025


CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE

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